

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**TECHNICAL SALES, INC.,**

Plaintiff,

vs.

Civ. No. 05-556 ACT/DJS

**DRESSER, INC.,**

Defendant.

**MEMORANDUM OPINION AND ORDER**

**THIS MATTER** comes before the Court *sua sponte*. On March 6, 2008, the Court granted counsel for Technical Sales, Inc. and John Greaney's Motion to Withdraw [Doc. 206]. In that Order, the Court ordered that substitution counsel file an entry of appearance within fifteen days. Technical Sales, Inc. failed to comply with that Order. On July 2, 2008, John Greaney filed a notice of Automatic Stay [Doc. 209]. On April 7, 2010, Dresser, Inc. filed a Dismissal of Technical Sales, Inc.'s Bankruptcy Case [Doc. 211]. To date, Technical Sales, Inc. is not represented by counsel.

Section 1654 of Title 28 of the United States Code provides that "[i]n all courts of the United States the parties may plead and conduct their own cases personally or by counsel, as, by the rules of such courts, respectively, are permitted to manage and conduct causes therein." 28 U.S.C. §1654. Local Rule 83.7 states that "[a] corporation or a partnership must be represented by an attorney authorized to practice before this Court." D.N.M.LR-Civ. 83.7; *see also Rowland*

*v. California Men's Colony*, 506 U.S. 194, 202 (1993) (stating that “[it] has been the law for the better part of two centuries...that a corporation may appear in the federal courts only through licensed counsel” and noting that lower courts have nearly uniformly held that 28 U.S.C. §1654 “does not allow corporations, partnerships or associations to appear in federal court otherwise than through a licensed attorney”). Local Rule 83.8 states:

(c) Party is Corporation or Partnership. When a party is a corporation or partnership, the attorney must give notice in the motion to withdraw that a corporation or partnership can appear only with an attorney. Absent entry of appearance by a new attorney, any filings made by the part may be stricken and default judgment or other sanctions imposed.

D.N.M.LR-Civ. 83.8.

If legal counsel has not entered an appearance on behalf of Technical Sales, Inc. within twenty (20) days of entry of this Order, the Court will dismiss this matter without prejudice.

A copy of this Order will be sent by the Clerk's office to the following:

1. Technical Sales, Inc.  
P.O. Box 88  
Farmington, NM 87499-0088
2. Jack N. Hardwick  
Sommer Udall Hardwick Ahern & Hyatt, LLP  
P.O. Box 1984  
Santa Fe, NM 87504-1984
3. Michael K. Daniels  
P.O. Box 1640  
Albuquerque, NM 87103

**IT IS SO ORDERED.**

  
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**ALAN C. TORGERSON**  
**UNITED STATES MAGISTRATE JUDGE,**  
**PRESIDING**

